

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA

ALEXANDRIA DIVISION

In re	)	
	)	
Daniel Jongpyo Choi	)	
	)	Case No. 09-11322-SSM
Debtor.	)	Chapter 13
_____	)	
	)	
	)	
Daniel Jongpyo Choi	)	
and	)	
Susan Choi	)	
	)	
v.	)	
	)	Adv. Pro. No. 09-01143-SSM
EMC Mortgage Corporation	)	
	)	
and	)	
	)	
Bank of America, National Association	)	
as successor by merger to	)	
LaSalle Bank National Association,	)	
as Trustee for Certificateholders of	)	
SACO I Inc, Mortgage	)	
Pass-Through Certificates, Series 2005-6	)	
	)	
_____	)	

**DEFAULT JUDGMENT AVOIDING LIEN ON DEBTOR'S RESIDENCE**

Having considered Plaintiffs' Motion for Entry of Judgment by Default, and it appearing that the Defendants' default has been entered by the Clerk and that proper service of the Summons

---

Daniel M. Press, VSB# 37123  
Russell B. Adams III, VSB# 37302  
Chung & Press, P.C.  
6718 Whittier Ave., Suite 200  
McLean, Virginia 22101  
(703) 734-3800  
Counsel for Debtor

and Complaint has been made, it is, pursuant to 11 U.S.C. § 506 and for the reasons set forth in *Dean v. LaPlaya Inv., Inc. (In re Dean)*, 319 B.R. 474 (Bankr. E.D. Va. 2004); *Pond v. Farm Specialist Realty (In re Pond)*, 252 F.3d 122, 126, 127 (2nd Cir. 2001); *In re McDonald*, 205 F.3d 606 (3rd Cir. 2000), by the United States Bankruptcy Court for the Eastern District of Virginia,

ORDERED, ADJUDGED AND DECREED that the claim of Defendants (Claim #3) be and is hereby deemed wholly unsecured; and it is further

ORDERED, ADJUDGED AND DECREED, that at such time as the Plan is completed in this case, the lien held in favor of Defendants on debtor's real property described as: 1640 Evers Dr., McLean, VA 22101, having a legal description of Lot Thirty-Five-A, of a Resubdivision of Lots 12, 13 and 34 through 37, SectionTwo (2), WEST LEWINSVILLE HEIGHTS, as the same appears duly dedicated, platted and recorded in Deed Book 1810, page 564, among the Land Records of Fairfax County, having Tax Map reference 030-3-10-0035A, established by Deed of Trust dated 4/25/05 and recorded in the Fairfax County Land Records at Book 17215, Page 1535, to Jonathan E. Lyon, Trustee, shall be void.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Stephen S. Mitchell  
U.S. Bankruptcy Judge

Entered on Docket: \_\_\_\_\_

WE ASK FOR THIS:

/s/Daniel M. Press  
Daniel M. Press, VSB 37123

Russell B. Adams III, VSB# 37302  
CHUNG & PRESS, P.C.  
6718 Whittier Avenue, Suite 200  
McLean, Virginia 22101  
(703) 734-3800  
(703) 734-0590 fax  
dpress@chung-press.com  
Counsel for Debtor/Plaintiffs

Local Rule 9022-1(C) Certification

The foregoing Order was endorsed by and/or served upon all necessary parties pursuant to Local Rule 9022-1(C).

/s/Daniel M. Press  
Daniel M. Press

Copies to:

Daniel M. Press, Esq.  
Russell B. Adams III, Esq.  
CHUNG & PRESS, P.C.  
6718 Whittier Avenue, Suite 200  
McLean, Virginia 22101

EMC Mortgage Corporation  
800 State Hwy 121 Bypass  
Lewisville, Texas 75067

Kenneth D. Lewis, President  
Bank of America, N.A.  
101 S. Tryon St.  
Charlotte, NC 28280